

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
October 26, 2016
Summary Agenda- Minutes

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

1. Roll Call.

Present: Mr. D. Perez, Mr. Tundidor, Mr. Cabrera, Mr. O. Perez, Mr. Casanova, Mr. Sanchez, Mr. Suarez

2. Approval of Planning and Zoning Board Summary Agenda of October 12, 2016 as submitted.

Motion to Approve: Mr. Suarez; Second: Mr. Tundidor; Approved: 7-0

Item Approved

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, NOVEMBER 8, 2016:

3. **Rezoning** from M-1 (Industrial District) to R-3-5 (Multiple Family District). Property located at 7925 West 2 Court, Hialeah.

Applicant: Hugo P. Arza, Esq. on behalf of Amelia Hialeah Holdings, LLC.

Planner's Recommendation: Approval

Motion to Approve: Mr. Tundidor; Second: Mr. Casanova; Approved: 7-0

Item Approved

4. **Repeal and rescind** Ordinance No. 2013-88 (12-16-13), rezoning from R-1 to R-3-2, according to 10-15-13 Site Plan, prepared by Alberto Bernal, Architect; and now to **rezone** from R-3-2 (Multiple Family District) to R-3-3 (Multiple Family District) according to 9-13-16 Site Plan, prepared by Alberto O. Gonzalez, Architect., and consider granting a variance permit to allow a pervious area of 21.9% (minimum of 30% required), total lot coverage of 38.25% (maximum of 30% required); allow 24 off-street parking spaces (27 required); waive a portion of The City of Hialeah Landscape Manual requirements to allow a 5-foot landscape buffer between the off-street parking and the right-of-way (7' required) and no landscape island is provided where a landscape island is required at a minimum of 10 parking spaces for shade distribution, and allow the following proposed setbacks: Rear of 10' (20' required) and corner side abutting the street of 13.3' (15' required). Property located at 1120 West 37 Street, Hialeah.

Applicant: Alejandro Vilarello, PA. on behalf of Hialeah 10 Townhomes, LLC

Planner's Recommendation: Approval

Motion to Approve: Mr. O. Perez; Second: Mr. Casanova; Approved: 6-0 with Mr. Suarez voting NO

Item Approved

5. Request to close and abandon the 50-foot public street located at West 25 Place and the west side of West 12 Avenue, Hialeah, containing approximately 38,250 square feet, more or less, to include the right-of-way within the existing development. Street located in between 1200-1280 West 25 Place, Hialeah, zoned R-3 (Multiple Family District).

Applicant: Alejandro Vilarello, PA.

Planner's Recommendation: WITHDRAWN

NO ACTION

6. PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, DIVISION 29, HIALEAH HEIGHTS, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, BY ADDING A NEW SECTION, §98-1607.2 ENTITLED "CDH COMMERCIAL DEVELOPMENT DISTRICT"; PROVIDING A PURPOSE; THE GEOGRAPHIC AREA; SITE AND DEVELOPMENT STANDARDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. Cabrera; Second: Mr. Tundidor; Approved: 7-0

Item Approved

7. PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, DIVISION 11. CR COMMERCIAL-RESIDENTIAL DISTRICT, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, REVISING SECTION 98-877 ENTITLED "USES PERMITTED AND REGULATIONS"; TO INCLUDE PAWNSHOPS, MEDICAL CLINICS AND PET STORES, AS PERMITTED USES; ELIMINATING THE PROHIBITION AGAINST SALE OF SECOND HAND MERCHANDISE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith;

PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. Cabrera; Second: Mr. Tundidor; Approved: 7-0

Item Approved

8. PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, DIVISION 11A. CR COMMERCIAL-RESIDENTIAL DISTRICT OUTSIED HDUC, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, REVISING SECTION 98-891 ENTITLED "PROHIBITED USES AND LIMITATIONS"; TO ELIMINATE AS PROHIBITED USES SECONDHAND OR USED MERCHANDISE AND THE PROHIBITION AGAINST VARIANCES FOR SALE OR PAWN OF SECONDHAND JEWELRY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. O. Perez; Second: Mr. Casanova; Approved: 7-0

Item Approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. Old Business.

10. New Business. **MR. D PEREZ REMINDED EVERYONE OF THE IMPORTANCE OF VOTING IN THESE 2016 ELECTIONS ON OR BEFORE NOVEMBER 8.**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.